IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Edward J. Kaplan

Serial No.: 10/665,793 Art Unit: Not Yet Assigned

Filed: September 19, 2003 Examiner: Not Yet Assigned

For: *FLEXIBLE AND/OR ELASTIC BRACHYTHERAPY SEED OR STRAND*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicant submits an Information Disclosure Statement, including thirteen (13) pages of Form PTO-1449 and copies of twenty-six (26) documents cited therein. Most of the documents cited below were cited by or submitted to the Patent Office in Application Serial No. 09/861,326, filed May 18, 2001, to which the present application claims priority. Pursuant to 37 C.F.R. §1.98(d), Applicants are not enclosing copies of these publications. Copies will be provided upon request, however. Copies of the newly cited documents, which are identified with an asterisk (*), are enclosed.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b) prior to a first Office Action on the merits. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 50-1868.

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Number	Issue Date	Patentee	Class/Subclass
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Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicant invites the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicant is of the opinion that his claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

Patrea L. Pabst
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Dated: December 23, 2003

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Peggy Bailey

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 13

Complete if Known	
Application Number	10/665,793
Filing Date	September 19, 2003
First Named Inventor	Edward J. Kaplan
Group Art Unit	
Examiner Name	
Attorney Docket Number	KAP 100 CIP

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	US Patent Document Number	Kind Code[2] (if known)	Name of Patentee or Applicant of Cited Document	Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		3,993,073		Zaffaroni	11-23-1976	
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		PCT	WO 95/03036		Angiogenesis Technologies	02-02-1995		
		PCT	WO 96/14880		PGK Corporation	05-23-1996		
		PCT	WO 97/19706		IBT Technology Partners	06-05-1997		
		PCT	WO 00/32238		Scimed Life Systems, Inc.	06-08-2000		
		PCT	WO 00/41185		Nycomed Amersham PLC	07-13-2000		
		PCT	WO 00/43045		Photogen, Inc.	07-27-2000		

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		5,460,592		Langton, et al.	10-24-1995	
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		6,241,962		Nicolini, et al.	06-05-2001	
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		6,391,279		Singh et al.	05-21-2002	

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		PCT	WO 00/51639		Halogenetics, Inc.	09-08-2000		
		PCT	WO 00/57923		North American Scientific	10-05-2000		
		PCT	WO 01/36007		Angiotech Pharmaceuticals	05-25-2001		
		PCT	WO 02/30472		Guilford Pharmaceuticals	04-18-2002		

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Applicati n Number	10/665,793
Filing Date	September 19, 2003
First Named Inventor	Edward J. Kaplan
Group Art Unit	
Examiner Name	
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U.S. PATENT DOCUMENTS

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		2001/0044567		Zamora et al.	11-22-2001	
		2002/0055666		Hunter, et al.	05-09-2002	
		2002/0055667		Mavity et al.	05-09-2002	
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Attorney Docket Number	KAP 100 CIP

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Sheet 11 of 13

Complete if Known	
Application Number	10/665,793
Filing Date	September 19, 2003
First Named Inventor	Edward J. Kaplan
Group Art Unit	
Examiner Name	
Attorney Docket Number	KAP 100 CIP

OTHER ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[2]
		*SUNDBACK, et al., "Manufacture of porous polymer nerve conduits by a novel low-pressure injection molding process," *Biomaterials* 24: 819-830 (2003).	
		TAMARGO, et al., "Growth inhibition of the 9L glioma using polymers to release heparin and cortisone acetate," *J. Neurooncol.* 9: 131 (1990).	
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		*WANG, et al., "A tough biodegradable elastomer," *Nature Biotechnol.* 20: 602-606 (2002).	
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		YAPP, et al., "The potentiation of the effect of radiation treatment by intratumoral delivery of cisplatin," *Int. J. Radiation Oncol. Biol. Phys.* 42: 413 (1998).	
		YAPP, et al., "Tumor treatment by sustained intratumoral release of cisplatin: effects of drug alone and combined with radiation," *Int. J. Radiation Oncol. Biol. Phys.* 39: 497 (1998).	

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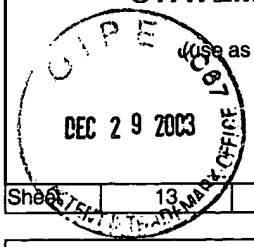

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